

Order

Michigan Supreme Court
Lansing, Michigan

January 29, 2020

Bridget M. McCormack,
Chief Justice

David F. Viviano,
Chief Justice Pro Tem

Stephen J. Markman
Brian K. Zahra
Richard H. Bernstein
Elizabeth T. Clement
Megan K. Cavanagh,
Justices

160124

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 160124
COA: 338351
Macomb CC: 2016-002492-FH

LARRY JAMES BAILEY,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the June 27, 2019 judgment of the Court of Appeals is considered. Pursuant to MCR 7.305(H)(1), in lieu of granting leave to appeal at this time, we REMAND this case to the Court of Appeals for consideration of the issue not addressed by that court in its first or second review of this case—whether defendant’s trial counsel was ineffective for failing to investigate and present witnesses to support the theory of defense.

We do not retain jurisdiction.



s0122

I, Larry S. Royster, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

January 29, 2020

Clerk